

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

Case No. 13-cv-14695  
Hon. Matthew F. Leitman

v.

CARMEN D. PALMER,

Respondent.

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**ORDER ON STATUS CONFERENCE AND DENYING PETITIONER'S  
MOTIONS FOR CLARIFICATION OF ORAL ARGUMENT (ECF #45)  
AND TO ENFORCE WAIVER OF WAIVED DEFENSES (ECF #46)**

On April 28, 2015, the Court held an on-the-record telephonic status conference to discuss Petitioner's Motion for Summary Judgment (ECF #33) and the multiple filings Petitioner has made with respect to his motion. The Court now orders as follows:

1) For the reasons stated during the status conference, Petitioner's Motion for Clarification of Oral Argument (ECF #45) and Motion to Enforce Waiver of Waived Defenses (ECF #46) are **DENIED**. Respondent need not file any response to these motions.

2) The issues raised in Petitioner's motions (ECF ## 45 and 46) will be considered by the Court when it rules on Petitioner's Motion for Summary Judgment (ECF #33).

3) Petitioner may file a reply brief of **no more than 10 pages** in further support of his Motion for Summary Judgment. Such a brief must **strictly comply** with Local Rule 5.1 (i.e., the brief must use 14 point font and be double spaced). The Court will strike any brief that is not in conformance with this Order or the Local Rules, or one that attempts to evade the requirements of this Order or the Local Rules (by, for example, misusing footnotes). Petitioner shall file his reply brief no later than 5:00 p.m. on **May 8, 2015**.

4) Respondent may file an affidavit (and related attachments) in further support of his opposition to Petitioner's Motion for Summary Judgment. Respondent shall file the affidavit no later than 5:00 p.m. on **May 1, 2015**

5) Petitioner may file two attachments in response to the affidavit. Petitioner shall file the two attachments no later than 5:00 p.m. on **May 8, 2015**. In no circumstance shall Petitioner file any briefing in response to Respondent's affidavit.

6) Petitioner may personally appear at the Court's hearing on his Motion for Summary Judgment.

7) There shall be **NO** additional filings of any papers of any kind with the Court, except as set forth herein, without prior leave from the Court.

**IT IS SO ORDERED.**

/s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: April 28, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 28, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(313) 234-5113